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OFFICE OF PETITIONS

In re Application of	:	
Bruno Teychene	:	
Application No. 10/532,569	:	ON PETITION
Filed: April 21, 2005	:	
Attorney Docket No. 37261P110	:	

This is a decision on the renewed petition under the unintentional provisions of 37 CFR 1.137(b), filed October 22, 2008, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to timely file a proper reply within the meaning of 37 CFR 1.113 to the final Office action of March 19, 2007. The proposed reply required for consideration of a petition to revive must be a Notice of Appeal (and appeal fee required by 37 CFR 41.20(b)(2)), an amendment that *prima facie* places the application in condition for allowance, a Request for Continued Examination (RCE) and submission (37 CFR 1.114), or the filing of a continuing application under 37 CFR 1.53(b). See MPEP 711.03(c)(III)(A)(2). A Notice of Abandonment was mailed on January 23, 2008.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a RCE (Request for Continued Examination), with the required fee of \$405, (2) the petition fee of \$770, and (3) a proper statement of unintentional delay. Accordingly, the RCE is accepted as being unintentionally delayed.

The petition decision mailed August 21, 2008 dismissed the petition filed February 26, 2008 for failure to provide a proper reply to the final Office action mailed on June 28, 2007. The renewed petition includes a proper reply.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at (571) 272-4618.

This application is being referred to Technology Center AU 3734 for processing of the RCE and any action that is required by the Examiner in the normal course of business.

A handwritten signature in black ink, appearing to read 'Carl Friedman', with a stylized, cursive script.

Carl Friedman
Petitions Examiner
Office of Petitions